



February 15, 2007

Representative Tom McGillvray
Montana State House of Representatives
Human Services
PO Box 200400
Helena, MT 59620-0400

Chairman McGillray and Members of the Committee:

Re: Opposition to HB 622

Good afternoon, my name is Kristin Nei and I want to visit with you about HB 622 on behalf of the American Cancer Society.

As it is structured at this point we have to speak in opposition to the proposed review process.

First of all we are in support of patient protection laws, sometimes mistakenly called mandates. We know that these laws save the lives of cancer patients through increased likelihood of early detection of cancer.

We also, however, recognize that increased cost for health insurance means that some people can't afford insurance and that doctors are then sometimes reluctant to refer patients for tests that may not be covered.

Clearly, these two points are in tension with each other in some cases and to the extent that a review commission might help to accurately reflect the true costs of a patient protection law we are not in opposition, because we know that these patient protection laws are not major drivers of health care cost increases.

We have several concerns about this particular bill.

First, the review process should include all major stakeholders. Currently HB 622 provides for the commissioner of insurance to perform the review along with an independent actuary. This process provides no guarantees that the needs of all stakeholders will be taken into account.

Second, we need to make certain that the latest scientific evidence demonstrating the effectiveness of the particular procedure or product is taken into account. It is not absolutely clear that this will occur under the structure as presented in the current version

of HB 622. Prevention and detection of cancer is an intricate process where the public deserves to have the latest scientific evidence brought into the analysis.

Third, we need to be assured that the commission itself will not become a barrier to the passage of needed legislation. HB 622 currently has language that requires the actuary to review the proposal within 90 days, but it is not entirely clear that the commissioner MUST act within that same time frame. If the intent is to have the report back out to the legislature within that time frame maybe some clarity could be provided.

For these reasons we feel that HB 622 does not represent the best model available at this time and we ask that you vote no on the bill. Thank you.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Kristin Page Nei".

Kristin Page Nei
Montana Government Relations Committee